

## UNITED STATES DISTRICT COURT

Boston

District of

MassachusettsJoseph Marion Head Junior  
Joseph Marion Head  
Plaintiff, ETC.APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVITAs Related in The Court Records

CASE NUMBER:

Defendant, ETC.

1. Joseph Marion Head Junior declare that I am the (check appropriate box)  
☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?
- ☒
- Yes
- ☐
- No (If "No," go to Part 2)

If "Yes," state the place of your incarceration Fed. Med. Center DevensAre you employed at the institution? YES Do you receive any payment from the WILL

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed?
- ☐
- Yes
- ☐
- No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |   |  |
|---|---|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| f. Any other sources                              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |



"Ha, Ha."


If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

**Inmate Inquiry**

**Inmate Reg #:** 17549056 **Current Institution:** Devens FMC  
**Inmate Name:** HEAD, JOSEPH **Housing Unit:** N UNIT  
**Report Date:** 05/24/2004 **Living Quarters:** N04-423L  
**Report Time:** 8:40:24 AM

[General Information](#) | [Account Balances](#) | [Commissary History](#) | [Commissary Restrictions](#) | [Comments](#)

**General Information**

Administrative Hold Indicator: No  
 No Power of Attorney: No  
 Never Waive NSF Fee: No  
 Max Allowed Deduction %: 100  
 PIN: 5438  
 FRP Participation Status: ExemptTmp  
 Arrived From:  
 Transferred To:  
 Account Creation Date: 2/15/2002  
 Local Account Activation Date: 7/1/1991  
 Sort Codes:   
 Last Account Update: 5/24/2004 7:17:08 AM  
 Account Status: Active  
 ITS Balance: \$0.00

**FRP Plan Information**

FRP Plan Type	Expected Amount	Expected Rate
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**Account Balances**

Account Balance:	\$40.74
Pre-Release Balance:	\$0.00
Debt Encumbrance:	\$0.00
SPO Encumbrance:	\$0.00
Other Encumbrances:	\$0.00
Outstanding Negotiable Instruments:	\$0.00
Administrative Hold Balance:	\$0.00
Available Balance:	\$40.74
National 6 Months Deposits:	\$90.00
National 6 Months Withdrawals:	\$108.50
National 6 Months Avg Daily Balance:	\$32.07
Local Max. Balance - Prev. 30 Days:	\$70.06
Average Balance - Prev. 30 Days:	\$36.60

  
 5/24/2004

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## Commissary History

### Purchases

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Validation Period Purchases: \$20.02  
YTD Purchases: \$99.20  
Last Sales Date: 5/20/2004 12:08:01 PM

### SPO Information

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SPO's this Month: 0  
SPO \$ this Quarter: \$0.00

### Spending Limit Info

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Spending Limit Override: No  
Weekly Revalidation: No  
Spending Limit: \$290.00  
Expended Spending Limit: \$17.80  
Remaining Spending Limit: \$272.20

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## Commissary Restrictions

### Spending Limit Restrictions

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Restricted Spending Limit: \$0.00  
Restricted Expended Amount: \$0.00  
Restricted Remaining Spending Limit: \$0.00  
Restriction Start Date: N/A  
Restriction End Date: N/A

### Item Restrictions

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List Name	List Type	Start Date	End Date	Userid	Active
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## Comments

Comments:

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United States District Court  
For the District of Boston Massachusetts  
Boston Division

C. A. No. 04-40042-RGS, Civ. Action No. 04-10522-RGS  
Etc. Case No. As Relates And Applies Hereto, Etc., Hereto.

Joseph Marion Head  
Petitioner, Etc.  
v S

State of North Carolina,  
And

David L. Winn,  
And

Etc. Persons, Places, Things,  
As Related Of Court Records,  
Defendants, Respondents

Notice Of Appeal  
In Forma Pauperis  
And  
Motion For Appointment  
Of Counsel For This Appeal

Now Comes, Joseph Marion Head junior, Reg. Number  
17549-056, who is the petitioner, etc. in the  
above entitled cause, who himself, pro se,  
respectfully gives Notice Of Appeal to the  
Appeals Court of Legal jurisdiction herein, from  
the final orders of Richard H. Stearns, Judge  
For the Above Entitled Court, entered on the 13th.  
Day of May, 2004, for the reasons stated in said  
orders, denials, dismissals with and without prejudice  
and etc. as related in said orders. Objections  
And Exceptions is heretofore entered as to each  
and all of same and to the Orders aforesaid.

Questions On Appeal Thereto

Did Judge Stearns Fail To Consider And Apply  
Important Facts, Grounds, Laws, Rights, Privileges?

2

If So, Which, How, Why, When, Where, Etc. As Applies?  
If Not, How Not?

2

Did Judge Stearns Misapply The Law, Etc.?  
If So, Which? If Not, How Not?

3

Did Judge Stearns Apply The Wrong Law, Etc.?  
If So, Which? If Not, How Not?

4

What Laws, Etc. Should Have Judge Stearns  
Applied And Not Applied And Why?

5

Did Judge Stearns, Delay, Denied, Deprive, Any  
Relief Authorized, Entitled, Requires, Or Demanded  
By The Laws, Or Constitutions Or Human Rights  
Of The United States, Of America Or The States  
Thereof Or Petitioners, Etc., Rights Or Privileges  
Thereby Or Thereto Relating? If So, What  
Relief And How Much Relief, Etc.? If Not,  
How Not?

6

Should Have Judge, Stearns Conducted A  
full and fair Evidentiary hearing in the  
aforesaid matters, etc., prior to entering  
his reasons and judgments and orders?  
If So, Why? If Not, Why Not?

The Court appoint Counsel to represent, etc.  
This appeal on behalf of, Head, hereof.

Signed, Joseph Marion Head, Junior 17549-056  
May 22 No. 2004.